



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

234

CRM-M-51891-2024

Date of decision: 20.01.2025

Surjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Damanjeet Bhorawal, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner in the instant (second) petition is seeking the concession of bail under Section 483 of the BNSS, 2023 in case FIR No.56 dated 05.06.2023 under Sections 21/22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') registered at Police Station Maur, District Bathinda.

2. Learned counsel for the petitioner submits that the petitioner was allegedly intercepted on 05.06.2023 and thereafter a recovery of 250 intoxicant tablets along with 25 vials of intoxicant was recovered from the petitioner. It has been contended by the learned counsel that not only a false case has been planted upon the petitioner but the trial has not proceeded beyond examination of one prosecution witness, after the charges were framed on 07.12.2023. A prayer has, therefore, been in the aforementioned circumstances that the petitioner, who has no previous criminal antecedents, be admitted to bail.

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3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions from Inspector Manjit Singh, SHO Maur, has not disputed that the petitioner has been in custody since 05.06.2023, however, it has been asserted by the learned State counsel that the petitioner was apprehended on suspicion; a huge recovery (250 intoxicant tablets and 25 vials of intoxicant) was made from a bag which the petitioner was carrying at the relevant time; the recovery was effected after due compliance of the mandatory provisions of the NDPS Act. Learned State counsel, on further instructions, has controverted the submissions made by the counsel for the petitioner qua only 3 witness having been examined till date. It has been submitted on instructions that only five witnesses remain to be examined, with four witnesses having been completely examined and three others having been given up by the prosecution. Learned State counsel has, therefore, prayed for the dismissal of the instant petition as there is every likelihood that the trial would not take much time to conclude.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The alleged recovery effected from the petitioner has been classified as 'commercial'. The next date fixed before the learned Trial Court is 05.02.2025 when in all likelihood the remaining witnesses could be examined. This Court, therefore, does not deem it fit to extend the concession of bail to the petitioner. Accordingly, the instant petition is hereby dismissed.



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6. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

7. At this stage, a request has been made by learned counsel for the petitioner for issuance of directions to the learned Trial Court to expedite the trial.

8. The learned Trial Court shall make earnest efforts to conclude the trial expeditiously preferably, within a period of four months from today.

9 The defence as well as the prosecution shall ensure that no unnecessary adjournment is sought and both the sides cooperate in the expeditious conclusion of the trial.

20.01.2025

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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No